

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Khalilah Najwa Joyner

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

Dr. Ihim, Michael
Dr. Savino, Michael

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Complaint for a Civil Case

Case No. _____
(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No
(check one)

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I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Imhalibh Sayner</u>
Street Address	<u>252 Millie's Rd</u>
City and County	<u>Hopkins (Richland)</u>
State and Zip Code	<u>South Carolina 29061</u>
Telephone Number	<u>808-227-5451 cell</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

See Attachment

Name	_____
Job or Title (if known)	_____
Street Address	_____
City and County	_____
State and Zip Code	_____
Telephone Number	_____

Defendant No. 2

see attachment

Name	_____
Job or Title (if known)	_____
Street Address	_____
City and County	_____
State and Zip Code	_____
Telephone Number	_____

Defendant No. 3

Name	_____
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Job or Title _____
 (if known)
 Street Address _____
 City and County _____
 State and Zip Code _____
 Telephone Number _____
 Defendant No. 4
 Name _____
 Job or Title _____
 (if known)
 Street Address _____
 City and County _____
 State and Zip Code _____
 Telephone Number _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)

☐ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

N/A

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) Khalilah Najim Jones, is a citizen of
the State of (name) South Carolina.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
under the laws of the State of (name) _____,
and has its principal place of business in the State of (name)
_____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) Dr. Kim Michael, is a citizen of
the State of (name) Dr. Savino Michael. Or is a citizen of
(foreign nation) Kentucky.

b. If the defendant is a corporation

The defendant, (name) _____, is
incorporated under the laws of the State of (name)
_____, and has its principal place of
business in the State of (name) _____. Or is
incorporated under the laws of (foreign nation)
_____, and has its principal place of
business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy *See Attachment*

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed. *See Attachment*

IV. Relief *see Attachment*

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

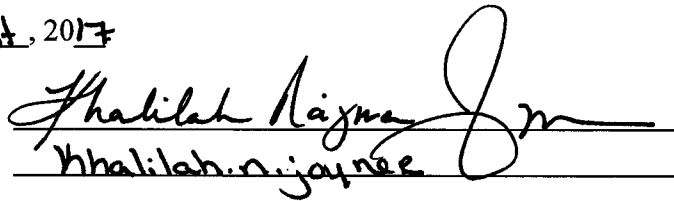
A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 8 August, 2017

Signature of Plaintiff

Printed Name of Plaintiff


Khalilah N. Jaynee

B. For Attorneys

Date of signing: _____, 20__.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address

The Plaintiff: Khalilah Najwa Joyner

The Defendant: The United State Army

Dr. Michael Kim

Dr. Michael Savino

The Plaintiff- Khalilah Najwa Joyner

252 Millie's Rd

Hopkins (Richland County)

South Carolina, 29061

803-647-9001

Defendant number 1- Dr. Michael Kim

Family Medicine Dr.

Ireland Army Health Clinic

289 Ireland Avenue

Fort Knox (Hardin County), KY 40121

502-624-9333

Defendant number 2 Dr. Michael Savino

Emergency room Dr.

Ireland Army Health Clinic

289 Ireland Avenue

Fort Knox (Hardin County), KY 40121

502-624-9333

III- Basis for Jurisdiction

Diversity of citizenship

B. The plaintiff name: Khalilah Najwa Joyner, South Carolina

The defendant

3. The Amount in Controversy is 7,500,000.00 due to medical malpractice through negligent incorrect diagnoses of cancer between two doctors

Statement of Claim:

Went to Dr. Kim, who was my primary care provider because I saw blood, mucus and thin/narrow stool and he misdiagnose me with constipation in December 2014. Then in Mar 2015 I was in pain and saw blood in my stool and my rectum area was hurting. I called the triage nurse hotline and was told to go directly to the emergency room. I saw Dr. Savino who diagnose me with hemorrhoids. After continuing to seek care with no improvement I was referred out to a GI specialist who diagnosed me with stage 3B rectal cancer.

Relief: I currently have to wear a permanent colon ostomy bag, Unable to bear children and being Medical discharge out of the Army